

Social Media Student Disclosure

Quickly evolving technologies, including Internet Web sites and social media services, create new challenges when seeking to protect the privacy rights of students at California's postsecondary educational institutions. Legislation has been approved to protect those rights and provide students with the opportunity for redress if their rights are violated. The Bureau for Private Postsecondary Education has required all of California's postsecondary educational institutions to create and abide by a Social Media policy with regards to the approved legislation.

Senate Bill No. 1349 states:

- (a) Public and private postsecondary educational institutions, and their employees and representatives, shall not require or request a student, prospective student, or student group to do any of the following:
 - (1) Disclose a user name or password for accessing personal social media.
 - (2) Access personal social media in the presence of the institution's employee or representative.
 - (3) Divulge any personal social media information.
- (b) A public or private postsecondary educational institution shall not suspend, expel, discipline, threaten to take any of those actions, or otherwise penalize a student, prospective student, or student group in any way for refusing to comply with a request or demand that violates this section.
- (c) This section shall not do either of the following:
 - (1) Affect a public or private postsecondary educational institution's existing rights and obligations to protect against and investigate alleged student misconduct or violations of applicable laws and regulations.
 - (2) Prohibit a public or private postsecondary educational institution from taking any adverse action against a student, prospective student, or student group for any lawful reason.

For purposes of the above Senate Bill, "Social Media" means an electronic service or account, or electronic content, including but not limited to, videos or still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts, or Internet Web site profiles or locations.